REMARKS/ARGUMENTS

Claims 1, 7-12 and 22-29 remain pending in this application. Claims 1 and 22 have been amended to correct minor informalities.

The Office Action

Claims 1, 7-8, 11, 22-24 and 27-28 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bauer et al. (U.S. Patent No. 6,310,946). Claims 9-10, 12, 25-26 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bauer.

Claims 1, 7-12 and 22-29 Are Patentably Distinguishable over the Cited Art

The present invention relates to an Advanced Internet Call Session Manager service system, which allows a service subscriber to screen telephone calls while connected to the Internet with improved efficiency (*i.e.*, it is an improved call waiting service). Only for those callers who enter a Personal Identification Number (PIN) established by the subscriber, and only if other calling ID and screening criteria established by the subscriber are met, will an incoming call (while the subscriber is connected to the Internet via the telephone line) be treated as an Internet Call Waiting call, which the subscriber may choose to connect to or ignore. No other calls disturb the subscriber's usage of the Internet. That is, the subscriber does not receive any pop-up messages or audio reminders. A log (including any voice messages) may be kept of all incoming calls – whether or not they were presented as Internet Call Waiting calls – for later review by the subscriber.

As shown in FIG. 1 of the present application, the telephone line (represented by the icon 110) of a subscriber to the present-inventive AICSM service is connected to a computer or computer system 120 via a MODEM 122. As is labeled on the computer icon 120, the subscriber also has Internet Call Waiting service. The computer 120 contains any software needed at the user end to implement Internet Call Waiting Service.

Bauer, on the other hand, relates to a technique for enabling a telephone subscriber calling the subscriber's own telephone line to forcibly interrupt a telephone call on that line upon receiving a busy signal. See column 2, lines 1-2.

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However, as discussed in the Background Art section, Bauer is simply an *alternative* to the typical call waiting services now available. Thus, the telephone in Bauer does not contain any software needed at the user end. As such, Bauer is not analogous art.

Indeed, some of the problems with typical call waiting services were discussed in column 1, lines 23-37 of Bauer:

> Not surprisingly, a subscriber seeking to call his/her own home number may experience a busy signal as a consequence of a family member using the phone. If the subscriber enjoys call waiting, the family member using the phone hears a pulsed tone indicating an incoming call. In response, the family member on the phone can receive the incoming call by executing a "flash" on-hook operation. Reception of the "waiting" call is dependent on willingness of the party on the phone to execute the flash on-hook operation. In some instances, the party on the phone may choose to ignore the pulsed tone signaling a waiting call. Depending on the nature of the call, the party on the phone may even choose to disable the call waiting option, particularly if the party is using the phone to establish a data connection to an On-line or Internet Service Provider.

Thus, Bauer suggests *an alternative to call waiting.* Presumably, the techniques disclosed in Bauer would not operate if the subscriber's call waiting service was enabled. For example, if the party on the phone ignored the waiting call, then there would be no busy signal and the caller would not be able to trigger the call interrupt method of Bauer. See column 3, lines 28-31 ("[A] method is provided for allowing a telephone subscriber to interrupt a telephone call on the subscriber's own line after receiving a busy signal."). See also column 1, lines 56-58 ("Thus, there is a need for a technique to allow a subscriber to interrupt a call on the subscriber's line after receiving a busy signal.). Without a busy signal, the caller would have no way of knowing whether the telephone was in use. Thus, Bauer does not teach any type of call waiting technique.

Moreover, Bauer does not teach or suggest many of the features of claim 1. For instance, Bauer addresses a problem that subscribers may have encountered when trying to call their home phone, yet Bauer does not address any of the problems associated with using the Internet. Thus, Bauer does not teach or disclose "connecting the subscriber's telephone line to an Internet service provider," as provided in claim 1. Arguably, Bauer discusses as background art what a subscriber having call waiting may experience when calling his or her home line. See column 1, lines 34-37. However, Bauer is simply acknowledging that many people disable

the call waiting option when using the Internet. This just goes to show that a subscriber may need an alternate means of interrupting a call to his or her home line, in lieu of using the call waiting option. Further, as provided in column 3, lines 19-36, the subscriber is trying to reach a family member using a telephone set 14_2 or 14_3. Bauer does not disclose that these may be computers having Internet access.

Further, claim 1 includes an access code that comprises (a) an ICW (or Internet Call Waiting) trigger code adapted to trigger the operation of an ICW server and established by the operator of said PSTN and (b) a security code. The Internet Call Waiting (ICW) Server 180 (connected via data paths 172 and 184) controls the operation of call waiting messages that are sent to a subscriber when the subscriber receives telephone messages while the subscriber's telephone line is connected to the Internet, whereupon the subscriber can choose to accept or ignore the call. Since Bauer does not involve call waiting, it does not teach or suggest the use of an Internet Call Waiting server or an Internet Call Waiting trigger code.

Accordingly, claim 1 and claims 7-12, which depend therefrom, distinguish from the prior art and are therefore allowable.

Claim 22 relates to an apparatus for managing an Internet call session, and includes "means for connecting the subscriber's telephone line to an Internet Service Provider (ISP)" and an "access code comprising an Internet Call Waiting (ICW) trigger code adapted to trigger the operation of an ICW server and established by the operator of said PSTN and a security code." As explained above, Bauer fails to disclose these features. Accordingly, claim 22 and claims 23-26, which depend therefrom, distinguish from the prior art and are therefore allowable.

Claim 27 relates to a method of managing calls received by a subscriber when connected to the Internet. The method includes features such as "connecting the subscriber's telephone line to an Internet Service Provider" and "enabling an Internet call waiting server." As explained above, Bauer fails to disclose these features. Accordingly, claim 27 and claims 28-29, which depend therefrom, distinguish from the prior art and are therefore allowable.

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CONCLUSION

For at least the reasons detailed above, it is respectfully submitted that all claims remaining in the application (Claims 1, 7-12, and 22-29) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he or she is hereby authorized to telephone John S. Zanghi, at (216) 861-5582.

Respectfully submitted,

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